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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/506,797	02/16/2005	Kim Simelius	915-006.049	6574

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EXAMINER

LEE JR, KENNETH B

ART UNIT	PAPER NUMBER
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2629

MAIL DATE	DELIVERY MODE
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PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

10/506,797

Applicant(s)

SIMELIUS, KIM

Examiner

Kenneth B. Lee

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 27 August 2007.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1,6-9,16 and 17 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1,6-9,16 and 17 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--------------------------------------------------------------------------------------|-------------------------------------------------------------------|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Claim Rejections - 35 USC § 103

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claims 1, 6-9, and 16 are rejected under 35 U.S.C. 103(a) as being unpatentable over Oiwa et al., JP 11355432, hereinafter referred to as Oiwa, in view of Namekawa, US Patent 4,945,556.

Regarding claim 1, Oiwa et al. disclose changing the input states of an electronic device that comprises input means and has the capability of carrying out user operations (0014). Oiwa et al. disclose that the input states comprise a locked state and an unlocked state enterable by their respective locking and unlocking inputs (0014). Oiwa et al. further discloses an intermediate unlocking state that contains a different input from the unlocking input (0016). Oiwa et al. disclose that once the intermediate unlocked state has been entered, the termination of the user operation is detected based upon a predetermined number of input operations (e.g. end key), and the locked state is entered upon detection (0019).

Oiwa fails to disclose upon entering an intermediate unlocked state of said electronic device, in which a limited operational use of said input portion is possible, from the locked state, based on an intermediate unlocking user input which is different from the unlocking input required for entering the unlocked state.

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Namekawa discloses that if the first lock code is input, the mobile telephone system can be used without any limitation (column 2, lines 42-44). Namekawa further discloses that if the second lock code is input, the mobile system then can be used with some limitations (column 2, lines 45-47).

At the time of the invention, it would have been obvious to one of ordinary skill in the art to incorporate the invention discloses in Namekawa with Oiwa.

The motivation for doing this would have been Namekawa relates in his invention that a subgroup of user operations can be carried out in a secondary locked state while applicant states that user operations that can be carried out in the intermediate unlocked state are restricted to a subgroup of user operations that can be carried out in the unlocked state.

Therefore, it would have been obvious to combine Namekawa with Oiwa in order to obtain the invention specified in claim 1.

Regarding claim 6, Oiwa et al. disclose the processing of the operation data using a plurality of computer readable mediums (0013).

Regarding claim 7, Oiwa et al. disclose a device that performs the functions of claim 1 (0010).

Regarding claim 8, Oiwa et al. disclose memory (0013).

Regarding claim 9, Oiwa et al. disclose a timer (0018).

Regarding claim 16, Oiwa et al. disclose a timer (0018).

Response to Arguments

1. Applicant's arguments with respect to claims 1, 6-9, 16 and 17 have been considered but are moot in view of the new ground(s) of rejection presented above.

Regarding claim 1, applicant argues **such an intermediate unlocked state is not taught or suggested by Oiwa**. Namekawa describes this feature above. Applicant also argues that **detecting termination of a user operation in an intermediate unlocked state where the user operation is other than the locking input and being one of the group of completing user operation by a predetermined number of input operations, canceling user operation and detecting an unexpected user input**. Oiwa refers to the use of the "end" key. This reads on cancelling the user operation as well as a predetermined input operation that causes termination of user operation.

Regarding claim 6, applicant argues **claim is believed to be not anticipated by Oiwa since it recites a computer program product for carrying out the method of claim 1**. However, Oiwa does disclose a computer program product that carries out these operations (0013).

Regarding claim 7, applicant has amended the claim with respect to claim 1; therefore, it is rejected under the same grounds as claim 1 stated above.

Since independent claims 1 and are rejected, dependent claims 8, 9, and 16 are also rejected.

Regarding claim 17, applicant discloses **means plus function terminology**. Independent claims 1 and 7 state the means for the invention and claim 17. Therefore,

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since those claims are rejected, claim 17 is rejected as well according to the reasons stated above.

Conclusion

2. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the mailing date of this final action.

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Kenagy et al. discloses a wireless communication device that includes a manual input device, a key lock memory, and a key lock processor in US Patent # 6,449,492. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Kenneth B. Lee whose telephone number is 571-270-3147. The examiner can normally be reached on Mon. - Fri. 7:30AM - 4:00 PM EST.

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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Alexander Eisen can be reached on 571-272-7687. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.



Alexander Eisen
SPE
Art Unit 2629

KBL